

FEDERMAN & SHERWOOD

(AN ASSOCIATION OF ATTORNEYS AND PROFESSIONAL CORPORATIONS)

10205 N. PENNSYLVANIA AVENUE
OKLAHOMA CITY, OKLAHOMA 73120
TELEPHONE: (405) 235-1560
FACSIMILE: (405) 239-2112

212 W. SPRING VALLEY ROAD
RICHARDSON, TEXAS 75081
TELEPHONE: (214) 696-1100
FACSIMILE: (214) 740-0112

REPLY TO: OKLAHOMA CITY, OK

June 10, 2025

VIA ECF

Hon. Margaret M. Garnett
United States District Judge
Southern District of New York
40 Foley Square
New York, NY 10007

Re: Joint Letter-Motion to Stay Case Pending Mediation
In re Eisner Advisory Group, LLC Data Breach Litigation, Case No. 1:25-cv-03044

To the Honorable Margaret M. Garnett:

Plaintiffs David Fallen, Chris Ouellette, Hannah Watzka, and Timothy Rushing (“Plaintiffs”) and Defendant Eisner Advisory Group, LLC (collectively, the “Parties”) write to jointly move to stay this action pending an upcoming mediation.

On April 30, 2025, the Court granted Plaintiffs’ Motion to Consolidate Cases and Appoint Interim Co-Lead Class Counsel (ECF No. 13), appointing interim co-lead class counsel and consolidating all pending actions naming Eisner Advisory Group, LLC as a defendant in connection with the September 2023 data breach into the first-filed case. Pursuant to the Court’s Order granting Plaintiffs’ Motion to Consolidate Cases and Appoint Interim Co-Lead Class Counsel, Plaintiffs’ Consolidated Class Action Complaint is due June 16, 2025.

The Parties have scheduled a mediation for September 25, 2025, which could resolve this case in its entirety. In an effort to promote judicial efficiency, the Parties respectfully request a stay of this action, including all pending deadlines. A temporary stay would help conserve the resources of both the Court and the Parties during the brief period between this filing and the mediation scheduled for September 25, 2025.

Good cause exists to grant this motion, which is not made for any improper purpose or undue delay. The Parties will advise the Court of the outcome of the mediation within five (5) business days following the mediation. For the foregoing reasons, the Parties respectfully request the Court stay this action, including all deadlines, pending the outcome of mediation.

Respectfully submitted,

/s/William B. Federman
William B. Federman (SBN 2215341)
Tanner R. Hilton (admitted *pro hac vice*)
FEDERMAN & SHERWOOD

/s/Daniel M. Braude
Daniel M. Braude
MULLEN COUGHLIN LLC
411 Theodore Fremd Ave.

10205 N. Pennsylvania Ave.
Oklahoma City, Oklahoma 73120
-and-
4131 North Central Expressway, Suite 900
Dallas, Texas 75204
Tel: (405) 235-1560

Rye, New York 10580
Tel: (267) 930-1316
dbraude@mullen.law

Counsel for Defendant

Raina Borrelli (*pro hac vice* forthcoming)
STRAUSS BORRELLI PLLC
980 N. Michigan Avenue, Suite 1610
Chicago, Illinois 60611
(872) 263-1100
(872) 263-1109 (facsimile)
raina@straussborrelli.com

Interim Class Counsel for Plaintiffs

ORDER

The Court, having considered the Parties' Joint Motion to Stay Case Pending Mediation and finding good cause, hereby **GRANTS** the Joint Motion to Stay Case Pending Mediation and **ORDERS** as follows:

1. All litigation deadlines are stayed pending mediation scheduled for September 25, 2025;
2. The Parties are ordered to advise the Court of the outcome of mediation on or before October 2, 2025.

IT IS SO ORDERED.

Dated: June 13, 2025



Honorable Margaret M. Garnett